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Clerk
District Court

NOV 29 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

MOSES T. FEJERAN and)	CIVIL ACTION NO. 05-0033
QIANYAN S. FEJERAN,)	
)	JOINT STATEMENT OF THE
Plaintiffs,)	PARTIES PURSUANT TO
)	F.R.C.P. 26(f) and LR 16.2CJ.e.2
vs.)	
)	Case Management Conference
AVIATION SERVICES (CNMI), LTD.)	Date: November 30, 2005
d.b.a. FREEDOM AIR,)	Time: 8:30 a.m.
)	
Defendant.)	

The respective counsel for Plaintiffs Moses T. Fejeran and QianYan S. Fejeran and Defendant Aviation Services (CNMI), Ltd. dba Freedom Air have conferred pursuant to F.R.C.P.26(f) and LR 16.2CJ.e.2. The Plaintiffs were represented by David G. Banes, Esq. Defendant was represented by David P. Ledger, Esq.

The parties make the following joint statement pursuant to their obligation under F.R.C.P. 26(f) to report on their Rule 26(f) meeting, and also pursuant to their obligation under LR 16.2CJ.e.2 to file a Case Management Conference Statement:

1. **DISCLOSURES:** The parties are conducting disclosures pursuant to F.R.C.P. 26.

2. **TIMING AND SEQUENCE OF DISCOVERY:** The parties propose the following discovery schedule:

ORIGINAL

- a. Trial to commence 12 months from the Case Management Conference;
- b. Phased discovery with “fact” discovery first, and then “expert” discovery second;
- c. 6 months for fact discovery;
- d. a deadline of 2 weeks after the close of fact discovery to file any fact discovery motions, and to designate experts and produce experts’ reports pursuant to F.R.C.P. 26(a)(2);
- e. from the fact discovery motions filing deadline, 2 months for expert discovery; and
- f. a deadline of 2 weeks after the close of expert discovery to file any expert discovery motions (this brings the case to a total of 9 months from the November 30, 2005 Case Management Conference).


3. **ORDERS THAT SHOULD BE ENTERED BY THE COURT PURSUANT TO F.R.C.P. 26(c) or 16(b) or (c):** Regarding F.R.C.P. 26(c), the parties do not anticipate at this time any need for protective orders. Regarding F.R.C.P. 16(c), the parties agree that the Local Rules’ pre-trial procedures should be followed. Regarding F.R.C.P. 16(b), LR 16.2CJ.e.2 and the topics set for discussion at the Case Management Conference pursuant to the Court’s November 1, 2005 Order re Case Management Conference, the parties state as follows:

- a. Service of process on parties not yet served. Not applicable.
- b. Jurisdiction and venue. Not applicable.
- c. Track assignment. The parties assert that this case is generally appropriate for the Standard Track, subject to the discovery schedule proposed, above. The parties prefer the standard over the expedited track in part because both Plaintiffs reside in the Commonwealth of the Northern Mariana Islands.
- d. Anticipated motions. The Defendants may file dispositive motions.

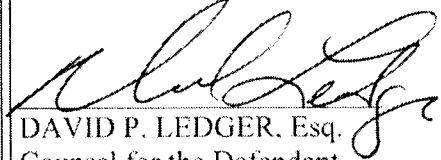
- e. Anticipated or remaining discovery, including limitations on discovery. Please refer to the proposed discovery schedule set forth above. All parties anticipate the use of experts.
- f. Further proceedings and scheduling of dates. The parties have no comments here other than what is discussed above or below in this joint statement.
- g. Appropriateness of special procedures. Not applicable.
- h. Modification of standard pre-trial procedures. The parties agree that the standard pre-trial procedures under the Local Rules are appropriate in this case.
- i. Settlement prospects. The parties intend to discuss settlement.
- j. Any other matter conducive to the just, efficient resolution of the case. Not applicable.
- k. Setting of date for:
 1. Joinder of all parties. 120 days.
 2. Motions to amend. 120 days.
 3. Discovery cut-off. 6 months for fact discovery, then 2 weeks for motions regarding fact discovery, then 2 months for expert discovery and then 2 weeks for motions regarding expert discovery, as discussed above.
 4. Status conferences. As requested by the parties or set by the Court.
 5. Discovery motions hearing date. Pursuant to the Local Rules and the fact and expert discovery motions cut-off dates as discussed above.
 6. Dispositive motions filing cut-off. 60 days before trial.
 7. Dispositive motions hearing date. Pursuant to the Local Rules and the dispositive motions filing cut-off.

8. Settlement conference. As requested by the parties or set by the Court.
9. Joint pre-trial order. 14 days before trial.
10. Final pre-trial conference. 7 days before the trial.
11. Trial. 12 months from the Case Management Conference, and estimated to last approximately 4-5 days.

AGREED THAT THIS STATEMENT ACCURATELY REFLECTS THE POSITION OF THE PARTIES.


DAVID G. BANES, Esq.
Counsel for the Plaintiffs
Moses T. Fejeran and QianYan S. Fejeran

Date: 11/29/05


DAVID P. LEDGER, Esq.
Counsel for the Defendant
Aviation Services (CNMI), Ltd. dba
Freedom Air

Date: 11/29/05